

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

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KYLE FELLERS, *et al.*,

Plaintiffs,

v.

MARCY KELLEY, *et al.*,

Defendants.

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Case No. 1:24-cv-311-SM-AJ

SECOND DECLARATION OF KYLE FELLERS

I, Kyle Fellers, declare the following based on my personal knowledge:

1. I live in Bow, New Hampshire. I have two children who attend public schools in the Bow School District, within State Administrative Unit 67.

2. I enjoy watching sporting events and often attend Bow School District sporting events, including games in which neither of my children is playing. I intend to attend Bow School District games and other extracurricular events, on and off school grounds, throughout the spring sports season, the school year, and future school years, even if my own children are not competing in those games.

3. If permitted, I would silently but visibly protest in defense of girls' and women's sports at some of these events, by wearing a pink XX wristband on the parents' sidelines during the game, by distributing wristbands, or by holding signs in the parking lot.

4. During the spring season this year, I intend to attend and protest at one or more games of Bow High School varsity girls' lacrosse team. Because the

daughter of my co-plaintiffs plays on the lacrosse team, I want to show my support for girls' and women's sports by silently protesting at a lacrosse game.

5. Even though my daughter is graduating from Bow High School this year, I intend to attend and silently protest at Bow High School events in future years as well.

6. In the next fall sports season, I intend to attend and silently protest at one or more girls' varsity soccer games, to show my support of girls' and women's sports. This protest would also express my commitment to First Amendment freedoms, by commemorating my expulsion from the September 17 game.

7. Next fall sports season, I also intend to attend and protest at one or more girls' varsity field hockey games, because Bow Superintendent Marcy Kelley is one of the coaches of the field hockey team.

8. If it was allowed, I would also intend to silently protest at Bow School District sporting events in future winter and spring seasons, including at girls' varsity basketball and girls' lacrosse.

9. I believe, however, that for the foreseeable future during this and future school years, protesting in a visible way could cause Defendants to remove me from school property and to take out a new No Trespass Order against me. As a result, I am continuing to refrain from silent protest.

10. I also worry that protesting on the sidelines in a silent but visible way by wearing a pink wristband during this and future school years could potentially

cause Bow School District sports teams to forfeit games, have games suspended, and become ineligible for the playoffs.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 24, 2025

  

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Kyle Fellers